

Remarks

Applicant has reviewed the Office Action dated as mailed December 22, 2008, and the documents cited therewith. After the above amendments have been made, the non-withdrawn pending claims are 11-14, 16-17, 19-20 and 23-26. Claims 11, 14, 17 and 26 have been amended herein.

Claim Objections

The Examiner objected to claims 11 and 17 as well as the claims dependent therefrom for allegedly not being supported by the specification. Specifically, the Examiner stated that the limitations associated with “determining the risk” and “predetermined criteria” in claims 11 and 17, respectively, were asserted as unsupported by the specification. Applicant vigorously disagrees. Each of these limitations are fully disclosed and supported in the specification. For example, Figure 14 and paragraphs 89-108 in the specification discloses these limitations of the claims. For example, the limitation in claim 17, “a customer sophistication with respect to the selected financial product or investment,” is shown as element 1426 in Figure 14A and discussed at paragraph 94. Similar to claim 17, claim 11 recites limitations related to customer sophistication and is clearly supported by the same portions of the specification. Additionally, another limitation in claim 17, “a propensity of the selected financial product or investment for use for money laundering,” is shown as element 1432 in Figure 14A and discussed at paragraph 97. Claim 11 recites a similar limitation and is supported by the same portions of the specification. Further, another limitation in claim 17, “an attractiveness of the selected financial product or investment for use by terrorist” is shown as element 1438 in Figure 14A and discussed at paragraph 100. These are merely examples of specification support and all other claim limitations in claims 11 and 17 are also fully disclosed and supported in the specification. Thus, reconsideration and withdrawal of the claim objections are hereby requested.

Claim Rejections under 35 U.S.C. §101

Claims 11-16 were rejected under 35 USC 101 as not reciting a machine or transformation. Applicants has amended independent claim 11 to recite that that a computer processor is used in presenting the graphical user interface and that a computer is used in

determining the risk rating. As such, claim 11 recites a machine and thus is in accordance with Section 101. Claims 12-16 are dependent from claim 11 and are in accordance with Section 101 for the same reasons. Reconsideration and withdrawal of the Section 101 rejection of claims 11-16 is hereby requested.

Claim Rejections under 35 U.S.C. §102

Claims 11-14, 16-17, 19-20 and 23-26 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication 2002/0138407 by Lawrence et al. (hereinafter “Lawrence”). For a proper rejection under Section 102, the Examiner must demonstrate that the identical invention is "shown in as complete detail as contained in the...claim," and that the elements are "arranged as required by the claim..." M.P.E.P. § 2131. The Examiner has failed to meet this burden.

Applicant respectfully submits that there is no teaching or suggestion in Lawrence of a graphical user interface allowing a user to select or enter the criteria or respond to questions as recited in amended claim 11.

Further, claim 11 recites:

“. . . presenting a graphical user interface using a computer processor for a user to select or enter a response or answer to each of a multiplicity of criteria or questions associated with a group including a selected country, a selected financial product or investment, and a selected customer type

. . .
determining a risk rating using a computer based on the responses to predetermined criteria or question related to the selected country, the at least one selected financial product or investment and the selected customer type,. . .”

Applicant respectfully submits that there is no teaching or suggestion in Lawrence of any “graphical user interface . . . to select or enter a response or answer to each of a multiplicity of criteria or questions associated with a group including a selected country, a selected financial product or investment, and a selected customer type ,” as recited in claim 11. In fact, there is no graphical user interface at all to input information prior to determining the risk rating. It is noted that Lawrence does present interfaces (shown in Figures 5-6 of Lawrence), but these interfaces

are only for “displaying information related to GRM” (paragraph 0057 of Lawrence) or for “presenting reports” (paragraph 0058 of Lawrence). As such, Lawrence only presents these interfaces after the risk quotient is determined. There is simply no graphical interface presented to allow responses to predefined criteria, especially all of the predefined criteria listed in claim 11. Further there is no graphical interface to enter a response to questions associated with “a selected country, a selected financial product or investment, **and** a selected customer type.” Additionally, Applicant respectfully submits that there is no teaching or suggestion in Lawrence of any “*responses* to predetermined criteria,” as recited in claim 11. Lawrence only discloses receiving information. There is no predetermined criteria presented in a graphical user interface and there is no “responses” thereto.

Further, Applicant respectfully submits that there is no teaching or suggestion in Lawrence of “evaluating the person or other legal entity’s sophistication with respect to the at least one selected financial product or investment.” Lawrence only discloses “the GRM system 106 can facilitate detection and reporting of potential violations of law as well as address . . . the assessment of sophistication of a customer.” Even though Lawrence mentioned an assessment of customer sophistication, this sophistication is a general sophistication and is not a sophistication assessment “with respect to the at least one selected financial product or investment.”

Additionally, Applicant respectfully submits that there is no teaching or suggestion in Lawrence of “determining the at least one selected financial product or investment’s propensity for use for money laundering,” as recited in claim 11. Lawrence only states “information received can be associated with criteria including . . . the propensity of people in similar positions to execute unlawful or unethical transactions.” However, Lawrence does not disclose the specific limitation that the “selected financial product or investment’s propensity”. Further, Lawrence is only directed to “unlawful or unethical transactions” and not the specifically disclosed “money laundering” claim element. Application reminds the Examiner that for a proper rejection under Section 102, the Examiner must demonstrate that the identical invention is “shown in as complete detail as contained in the . . . claim,” and that the elements are “arranged as required by the claim . . .”

The Examiner rejected “allowing input of the person or other legal entity’s sophistication” and “allowing input of a level of complexity of the at least one selected financial

product or investment” by reciting lines 1-2 of paragraph 24, which only recites that “information can also be input by a financial institution.” However, Lawrence does not recite the very specific limitations of what is allowed to be inputted. For example, Lawrence does not say that the “sophistication” and “complexity” is inputted. Just finding a statement in Lawrence that information may be inputted does not disclose these specific claim limitations of claim 11.

Applicant respectfully submits that there is no teaching or suggestion in Lawrence of 1) “determining the at least one selected financial product or investment’s attractiveness for use by terrorist,” 2) “evaluating the level of complexity of the at least one selected financial product or investment,” 3) “determining if the at least one selected financial product or investment is currently monitored for use with respect to illegal activity,” 4) “determining a level of the person or other legal entity’s knowledge of the at least one financial product or investment; and 5) “determining a level of ease of obtaining and using the at least one financial product or investment,” as recited in claim 11. Applicant noted that the Examiner has not pointed out where in Lawrence this specifically recited claim limitation is recited. It is the burden of the Examiner to specifically point out where all of these recitations are located in the cited art. Such showing has not been made and thus a *prima facie* case of anticipation has simply not been made. Nowhere does Lawrence disclose any of these limitations. For example, there is no discussion at all in Lawrence about terrorist or attractiveness of a financial product for use in terrorism. Accordingly, claim 11 is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of claim 11 is respectfully requested.

Regarding the rejection of claims 12-14, and 16 under 35 U.S.C. § 102 as being anticipated by Lawrence, these claims recite additional features which further patentably distinguish over Lawrence. For example, claim 16 recites:

“wherein determining the risk comprises:
determining if the person or other legal entity is currently being monitored with respect to financial activity;
determining a level of risk of the person or other legal entity being associated with terrorist activity;
evaluating a level of knowledge about the person or other legal entity; and
determining if the person or other legal entity is known to be a high risk.”

Lawrence does not teach or suggest that each of the following are performed in determining the risk rating: 1) determining if the person or other legal entity is currently being monitored with respect to financial activity; 2) determining a level of risk of the person or other legal entity being associated with terrorist activity; 3) evaluating a level of knowledge about the person or other legal entity; and 4) determining if the person or other legal entity is known to be a high risk. For example, there is no discussion at all in Lawrence about entities being associated with terrorist activity. In fact, there is no mention of the word “terrorist” in Lawrence at all. By way of another example, there is no discussion in Lawrence of “a level of knowledge about the person or other legal entity.” Accordingly, claim 16 is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of claim 16 is respectfully requested.

Additionally, claims 12-14, and 16 depend either directly or indirectly from independent claim 11. Because of this dependency, claims 12-14, and 16 include all of the features of independent claim 11. Therefore, claims 12-14, and 16 are also submitted to be patentably distinguishable over Lawrence, and reconsideration and withdrawal of the Section 102 rejection of these claims is respectfully requested.

Turning to claim 17, Applicant respectfully submits that there is no teaching or suggestion in Lawrence of the features of the embodiment of the present invention recited as recited in claim 17. Claim 17 recites limitations similar to claim 11 and is allowable for at least this reason alone. Additionally, claim 17 has been amended to recite that the “predetermined criteria being selected or entered into a graphical user interface.” There is no such graphical user interface disclosed by Lawrence. Again, the only graphical user interfaces in Lawrence are after the risk quotient has been calculated and thus, Lawrence does not teach all of the elements of claim 17. Accordingly, claim 17 is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of claim 17 is respectfully requested.

Regarding the rejection of claims 19-20, and 23-26 under 35 U.S.C. § 102 as being anticipated by Lawrence, these claims recite additional features which further patentably distinguish over Lawrence. Additionally, claims 19-20, and 23-26 depend either directly or indirectly from independent claim 17. Because of this dependency, claims 19-20, and 23-26 include all of the features of independent claim 17. Therefore, claims 19-20, and 23-26 are also

submitted to be patentably distinguishable over Lawrence, and reconsideration and withdrawal of the Section 102 rejection of these claims is respectfully requested.

Conclusion

For the foregoing reasons, the Applicant respectfully submits that all of the claims in the present application are in condition for allowance. Reconsideration and withdrawal of the rejections and allowance of the claims at the earliest possible date are respectfully requested.

If the Examiner has any questions about the present Amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

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